

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

ALICIA A. EPPS,

Plaintiff,

v.

CARL LINDER, III, *et al.*,

Defendants.

Case No. 1:19-cv-968

JUDGE DOUGLAS R. COLE

Magistrate Judge Karen Litkovitz

ORDER

This cause comes before the Court on the Magistrate Judge's January 21, 2021 Report and Recommendation ("R&R") (Doc. 15) and Alicia A. Epps's Objection (Doc. 17) to that R&R. The Magistrate Judge recommends that the Court **DENY** Epps's Motion for Leave to Appeal In Forma Pauperis (Doc. 14). The Court agrees with the Magistrate Judge and so **ADOPTS** the R&R (Doc. 15), **OVERRULES** the Objection (Doc. 17) and **DENIES** Epps's Motion for Leave to Appeal In Forma Pauperis (Doc. 14).

As the Magistrate Judge notes, on December 22, 2020, the Court adopted an earlier R&R (Doc. 9) by the Magistrate Judge recommending that the Court deny various motions that Epps had filed. (*See* Opinion & Order, Doc. 12). In that same Order, the Court certified that any appeal from the Order would not be taken in good faith within the meaning of 28 U.S.C. § 1915(a)(3), and thus Epps could not take such an appeal in forma pauperis. Despite this certification, Epps nonetheless moved before the Magistrate Judge to allow her to appeal in forma pauperis from the Court's

December 22, 2020 Order (Doc. 14). Her motion consisted almost exclusively of information relevant to her financial eligibility for that status. The motion did not in any way address the Court's earlier decision certifying that, as a substantive matter, any appeal from the December 22, 2020 Order would not be taken in good faith.

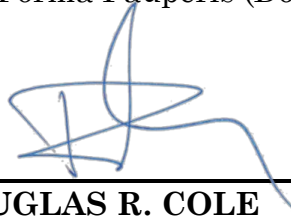
The Magistrate Judge entered an R&R recommending denial of Epps's request. (Doc. 17). Epps's Objection to that R&R likewise fails to address the Court's certification as to good faith. (*See* Doc. 17). Rather, the Objection merely states some of the procedural rules that apply to in forma pauperis motions generally.

Because Epps has not presented any argument that the Court's earlier decision on this issue was incorrect, the Court abides by its earlier decision. Accordingly, the Court **ADOPTS** the R&R (Doc. 15), **OVERRULES** the Objection (Doc. 17), and **DENIES** Epps's Motion for Leave to Appeal In Forma Pauperis (Doc. 14).

SO ORDERED.

February 12, 2021

DATE

A handwritten signature in blue ink, appearing to read 'Douglas R. Cole', is written over a horizontal line.

DOUGLAS R. COLE
UNITED STATES DISTRICT JUDGE